

Apr 23 04 11:15a

NMPL PLC

APR 23 2004

12319329753

p. 1

OFFICIAL

PTO/SB/21 (02-04)

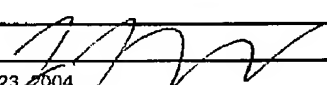
Approved for use through 07/31/2006. OMB 0651-0031

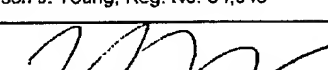
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/679,894	
	Filing Date	10/06/2003	
	First Named Inventor	Betz	
	Art Unit	3749	
	Examiner Name	Harold Joyce	
Total Number of Pages in This Submission	3	Attorney Docket Number	UCC-001-A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Northern Michigan Patent Law, PLC
Signature	
Date	April 23, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Jason J. Young, Reg. No. 34,048		
Signature		Date	April 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

APR 23 2004

In re application of: Betz

Atty. Docket No.: UCC-001-A

Serial No. 10/679,894

Art Unit: 3749

Filed: October 6, 2003

Examiner: Harold Joyce

For: MULTI-SEASON CRAWL SPACE VENT

OFFICIAL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action mailed March 23, 2004, in which the Examiner made a restriction requirement, applicant hereby elects the species of Figures 1-13 identified by the Examiner, subject to the allowability of any generic claims.

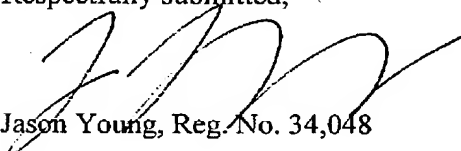
As required, applicant lists the following claims as being either generic or readable on the species of Figures 1-13: 1 (generic), 2-17, 20 (generic), 21.

Applicant notes that the Examiner's characterization of claim 21 as generic appears to be incorrect, since it recites a rear frame inserted through the front frame. Applicant also submits that claim 1 is generic, and that the Examiner is incorrect in the statement that "the embodiment of Figures 1-13 does not have tension members being operable by a person outside as specified in claim 1." The specification describes, for example at paragraphs 0047 and 0055, that the tensioning of the rear frame is accomplished by a person outside the crawl space, reaching through the vent opening and installed front frame to position and tension the rear frame using wingnuts 24c, 124c. Applicant believes that the Examiner may have

mistaken the front venting plate/receiver securing nuts such as 26e in Fig. 1 or 125c in Fig. 5 for frame tensioning means, and correspondingly misunderstood the limitation of claim 1 as it applies to the species of Figures 1-13.

Applicant believes that this election is fully responsive to the restriction requirement, and respectfully submits that the application is now in condition for examination on the merits. Any questions should be directed to applicant's undersigned attorney at 231-932-9752.

Respectfully submitted,



Jason Young, Reg. No. 34,048